

4/27/20

**ARBR Bi-weekly**

**Judicial Cases**

Case	Referral date	Tolling agmt	Status/Next Steps
<b>Ameren</b> Chen Hertz Wu Knodel Hanlon			-Remedy decision issued September 30, 2019. Judge ordered Ameren to 1) apply for PSD permit with wet FGD, 2) meet 0.05 rate at RI, and 3) mitigate excess emissions at Labadie using DSI or better. -Ameren filed motion to stay injunction – Sippel granted in part, denied in part. -Ameren filed motion to change the deadlines in the order (DSI @Labadie). Sippel denied without prejudice, thereby allowing Ameren to re-file motion later in time. -Ameren brief filed with 8 <sup>th</sup> Circuit on January 23. US brief filed March 27. Deadline
			<p><b>Ex. 5 AWP / Ex. 7(A)</b></p>
			-Amicus brief filed 1/30 by Chamber of Commerce, America's Power, etc.
			<p><b>Ex. 5 AWP / Ex. 7(A)</b></p>
<b>HollyFrontier*</b> Murray Mills Peterson Hensley	12/28/15	Ex. 5 AWP / Ex. 7(A)	-DOJ filed Notice with District Court on 2/5, alleging that Ameren did not comply with Judge Sippel's remedy order, i.e., they did not file a PSD permit application. DOJ and Ameren held meet and confer on March 23, still working on mutually agreeable status report. Status report on meet-and-confer filed on 4/3.
			-HF CD signature page received 3/26/20. R7 has signed as of 3/30. <p><b>Ex. 5 AWP / Ex. 7(A)</b></p>

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<b>Ex. 5 AWP / Ex. 7(A)</b>			

Case	Referral date	Tolling agmt	Status/Next Steps
Lehigh Murray Terriquez	5/2016		<p>-Lehigh, EPA and states signed the CD          -CD lodged on 12/3. Eight public comments received regarding California and Pennsylvania facilities from citizens and enviros. Comment period closed February 10.</p> <p><b>Ex. 5 AWP / Ex. 7(A)</b></p>
<b>Ex. 5 AWP / Ex. 7(A)</b>			

Admin Cases

Case	Inspection date	Status/Next Steps
<b>Ex. 5 AWP / Ex. 7(A)</b>		

Case	Inspection date	Status/Next Steps
<b>Ex. 5 AWP / Ex. 7(A)</b>		

Case	Inspection date	Status/Next Steps
<b>Ex. 5 AWP / Ex. 7(A)</b>		

Case	Inspection date	Status/Next Steps
Other Potential Matters		
<b>Ex. 5 AWP / Ex. 7(A)</b>		
<ul style="list-style-type: none"> <li>✓ <u>Columbian Chemical</u> – force majeure request <ul style="list-style-type: none"> <li>○ On March 16 and 24, Columbian (Birla Carbon) provided letter with an anticipated non-compliance with a CD due to force majeure related to COVID-19. Responded to Columbian on 4/24.</li> </ul> </li> </ul>		
<b>Ex. 5 AWP / Ex. 7(A)</b>		

#### Air Counseling

**Ex. 5 Deliberative Process (DP)**

- NE-101 (Lincoln-Lancaster/authority to issue PSD): 2 comments received, not adverse. Signed 4/21 - final.

## **Ex. 5 AWP / Ex. 5 DP**

- Comment letter went to Missouri by 4/2 regarding rule revisions on (MO) public notice:
  - 10 CSR 10-2.330 Control of Gasoline Reid Vapor Pressure;
  - 10 CSR 10-5.390 Control of Emissions From the Manufacture of Paints, Varnishes, Lacquers, Enamels, and Other Allied Surface Coating Products;
  - 10 CSR 10-6.061 Construction Permit Exemptions;
  - 10 CSR 10-6.270 Acid Rain Source Permits Required; and
  - 10 CSR 10-6.405 Restriction of Particulate Matter Emissions From Fuel Burning Equipment Used for Indirect Heating

- **Ex. 5 AWP / Ex. 5 DP** (2015 ozone transport iSIP)

## **Ex. 5 AWP / Ex. 5 DP**

- NE Title 115 and 129 issues (“shall” to “will”);

**Ex. 5 Deliberative Process (DP)**

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- Muscatine SSM (also has SO2 issues):

**Ex. 5 AC/AWP/DP**

## **Ex. 5 AC/AWP/DP**

**Ex. 5 AC/ Ex. 5 AWP/ Ex. 5 DP**

- Jefferson Co. redesignation:

**Ex. 5 AC/AWP/DP**

**Ex. 5 AC/ Ex. 5 AWP/ Ex. 5 DP**

**Ex. 5 AC/ Ex. 5 AWP/ Ex. 5 DP**

- Nebraska 2015 ozone i-SIP (NE-100): Signed 4/3 (final). Published 4/17.

- PM2.5 precursors definition and App W for iSIPs (2015 ozone isips);

**Ex. 5 Deliberative Process (DP)**

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- Round 4 SO2 designations – December 2020.

**Ex. 5 Deliberative Process (DP)**

**Ex. 5 Deliberative Process (DP)**



# Ex. 5 Deliberative Process (DP)

- Jackson Co./Wyandotte County notice to draft CDD and re-designation for SO2 (from unclassifiable to unclassifiable/attainment). RA signed on 4/3. Published 4/15.
- Ethanol SIPs will be moving forward following petition response from Administrator. Signed by RA 4/3. Published 4/17.
- Regional haze: **Ex. 5 Deliberative Process (DP)**

## Ex. 5 Deliberative Process (DP)

### FOIA

#### Other Matters

- ADM CD termination (Jonathan), Ash Grove CD termination (Dana)

## Ex. 5 AWP / Ex. 5 DP

- Teva Pharmaceuticals: notice of ceasing Mexico, MO operations; Company has requested CD termination per 12/17/19 letter.

## Ex. 5 AWP / Ex. 5 DP

- Asbestos: MDNR desk audit

- Records: shared drive transition; records dispositions
- CAMPS

### **Ex. 5 Deliberative Process (DP)**